

Comments on Housing Element Update (PC Agenda Item 5)

These comments on Item 5 on the April 18, 2013 Newport Beach Planning Commission agenda are submitted by: Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

General Comment

Some of the City Council members seem to feel that items such as the Housing Element are little more than irritating meddling with local affairs by Sacramento. I believe it is well established that although charter cities are required to maintain a general plan, the zoning code in a charter city does not have to be consistent with it; and although the present Newport Beach zoning code includes a voluntary declaration of intent to be consistent with the general plan (NBMC section 20.10.030.B), it apparently does not have to do so. Should the City choose to adopt zoning inconsistent with the state-mandated general plan, what kinds of city actions, if any, would still be constrained by the general plan, and in particular, by the Housing Element?

Specific Comments

The following comments refer to the pages I have read of the 241 page document "*Housing Element Update Draft Changes.pdf*" found linked to from the webpage referenced in the staff report, and titled "*City of Newport Beach General Plan Housing Element - Draft 1 March 2013.*"

Page 5-2:

- The statement that "*The comprehensive Zoning Code Update, completed in October, 2010, implements many of the land use changes included in the 2006 General Plan update*" implies some parts of the Zoning Code are inconsistent with the General Plan. What parts are those?
- Regarding the statement that "*The land use opportunities areas developed as part of the 2006 General Plan update have remained the same,*" why haven't they been updated? Haven't new opportunity areas developed since then? Such as the old City Hall site? And aren't some former "opportunity" sites, such as Uptown Newport, no longer opportunities?

Page 5-3:

- In addition to the five units required by the 2004 - 2021 Regional Housing Needs Allocation, doesn't Newport Beach have a large commitment of unfulfilled housing commitments from earlier years?

Page 5- 5:

- ("*Data Sources*"): Since not all of Newport Beach is in the Newport-Mesa District, school enrollment data would seem to need to include Santa Ana Unified and the Laguna Beach school districts.

Page 5-7:

- In addition to the meetings listed, isn't the City Council's Affordable Housing Task Force meeting to review the plan?

Page 5-8:

- How large was the correction necessitated by the 2010 census?

Page 5-9:

- In Table H3, how is "*Net Acre*" defined? Does it include the sidewalks, parkways and other public portions of a residential lot?

Page 5-14:

- The explanation of the discrepancy between the census and City vacancy rate estimates is not entirely convincing.

Page 5-15:

- "*Both the Marina Park Mobile Home Park and the Seacliff Mobile Home Park were approved for ...*"

Page 5-16:

- In Table H11, *Seacliffe Mobile Home Park* should have a footnote explaining its status, as detailed in the following paragraph (see the notes attached to Table H25 on page 5-31).
- In the paragraph following the table, *Seacliffe* is spelled without the final "e." Which is correct?

Page 5-17:

- In Table H12, the references to "Section 8" and "Section 202" are unexplained.

Page 5-18:

- In the paragraph describing "Villa Siena Condominiums": "*... may be sold at a price of no more than three times the permitted ~~unit~~ annual income of the person buying the unit ...*" (?)

Page 5-19:

- In the second full paragraph from the end: "*... was ~~subtracted~~ decremented by the maximum monthly rent that a low-income household ...*" [I am not familiar with the expression "subtracted by." I would suggest "decremented by" or "reduced by" or rearranging the sentence to make "subtraction" grammatical.]
- The HUD/HCD income estimates may be statistically accurate, but I have difficulty reconciling them with my sense of what the household descriptions would normally mean to me. I would think a two-person household consisting of two working (or retired) adults would have about twice the income of a single-person household, and that a four-person household consisting of two adults and two dependent children would have about the same income as a two-person one (and actually less available to spend on housing).

Page 5-20:

- In footnote (a) to Table H13: "*... one-person, ~~two~~ one-bedroom units occupied by a two-person household, ...*"
- In first line under "*Resources for Preservation*": "*The types of resources ~~needed~~ available for preserving units at-risk fall into three categories:*"
- The following list includes "Section 202" (without explaining what it is). Should it also include "Section 8"?

Page 5-21:

- "*Jamboree Housing is an active nonprofit housing ~~development~~ developer that has constructed ...*"

- “Olson Company—a local, for-profit **development developer**, that has constructed over 7,000 new affordable senior, family, and special needs housing **units** throughout California.” (?)
- “The Irvine Company—one of the largest land developers **on in** Orange County, ...”

Page 5-22:

- “... This approval authorizes 524 new **multi-unit** [?] **residential dwellings** to be constructed within the North Newport Center Planned Community, which are expected to be constructed within the **early first** half of this planning period.” [isn't this intended to mean a total of 524 units, not 524 “dwellings” each with multiple units?]
- What is the status of Banning Ranch for purposes of the Housing Element Update? At the second workshop, I believe Principal Planner Campbell said that the uncertainty of the Coastal Commission action made it impossible to include the in the affordable housing projections, yet it seems to be included.

Page 5-23:

- In Table H14, how is “Group Quarters” defined, and how does it differ from a multi-family situation?

Page 5-25:

- “... the City's senior population remains a significant proportion of the City's population and continues to grow, comprising **of** almost 19 percent in 2010.”
- In Table H19, the total enrollment evidently includes children from outside Newport Beach (presumably Costa Mesa), since it substantially exceeds the number of school age children reported in the previous table.
- As previously mentioned, it would seem useful to report the number of Newport Beach children enrolled in the Santa Ana and Laguna Beach districts.

Page 5-26:

- There seems to be some ambiguity as to the definition of “Very Low-Income.” Here it says “**31** to 50 percent” of AMI, but in the preceding section it says “**0** to 50 percent.”
- “Median household income in Newport Beach **traditionally historically** has been greater than that of Orange County.”

Page 5-27:

- How is “elderly” defined, and how does it differ from “senior”?

Page 5-29:

- For comparison with other cities, it would seem useful to provide the median sale price for Newport Beach as a whole. That cannot be determined from the data for individual zip codes.
- For “Rental Costs,” why are studio apartments in the table, but not used to define the low end of the range?

Page 5-32:

- “... the affordable housing units in the community listed **on in** Table H12, ...”

Page 5-33:

- The statement that “*The substantial reduction in the average household size in the City of Newport Beach in the last third of the twentieth century indicates the majority of City households are not overcrowded in terms of persons per dwelling unit*” seems neither logically conclusive nor supported by evidence included in the document.
- In the following paragraph, why is it “*more than 1.01 persons per room*” and not “*more than 1 persons per room*”?
- “~~There are~~ 11 (less than 1 percent) owner-occupied units and 155 (1.1 percent) renter-occupied units were severely overcrowded with more than 1.5 persons per room.”
- Under “Employment Trends,” aren’t the jobs available **in** Newport Beach as important as, and distinct from, the jobs held **by** Newport Beach residents?

...

Page 5-193:

- Why is the old City Hall site not shown as a housing opportunity?

Page 5-231:

- Why is Uptown Newport still shown as a housing “opportunity”? Isn’t it approved and “committed”?